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MEMO ENDORSED

August 23, 2019

BY ECF

Hon. Kenneth M. Karas
United States District Judge
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: *PharmacyChecker.com LLC v. National Association of Boards of Pharmacy, et al.*, No. 7:19-cv-07577 (S.D.N.Y.)

Dear Judge Karas:

This firm is counsel to defendant National Association of Boards of Pharmacy (“NABP”), in the above captioned case. Pursuant to Rule I(D) of the Court’s Individual Rules of Practice, we write to request that certain upcoming deadlines be extended:

(1) the deadline for NABP to answer or otherwise respond to the Complaint be extended from September 6, 2019 (21 days after service) to October 7, 2019. Counsel for NABP has spoken with Plaintiff’s counsel, and Plaintiff’s counsel has consented to this extension.

(2) the deadline for NABP to respond to Plaintiff’s Motion for Preliminary Injunction be extended from August 30, 2019 to September 30, 2019. Counsel for NABP has spoken with Plaintiff’s counsel, and Plaintiff’s counsel stated that, to agree to that extension, NABP would need to agree to the provisional relief requested by Plaintiff in its Motion for Preliminary Injunction. NABP did not agree to the provisional relief requested by Plaintiff, and so must file this request; and

(3) the hearing date for Plaintiff’s Motion for Preliminary Injunction be moved from September 11, 2019 to a date following completion of briefing consistent with NABP’s request for an extension of time to respond to Plaintiff’s preliminary injunction motion. Counsel for NABP and Plaintiff conferred on this issue, with the same outcome as NABP’s request for additional time to respond to Plaintiff’s Motion for Preliminary Injunction.

NABP requests this additional time in order to fully investigate and respond to Plaintiff’s allegations.

There has been no previous request for an extension of time in this matter. NABP notes that none of the other four Defendants has entered their appearance in this matter.

We thank the Court for its consideration.

Paul Olszowka, Esq.

Respectfully,

/s/Paul Olszowka

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Attorneys for National Association of Boards of Pharmacy

The requested extension is denied.

The deadlines specified in the Order to Show Cause, (Dkt. No. 16), remain the same.

SO ORDERED

KENNETH M. KARAS U.S.D.J.

8/27/2019